



Office of the City Manager
5200 Emerald Parkway • Dublin, OH 43017-1090
Phone: 614-410-4400 • Fax: 614-410-4490

Memo

To: Members of Dublin City Council

From: Marsha I. Grigsby, City Manager 

Date: April 10, 2014

Initiated By: Sara Ott, Sr. Project Manager

Re: Resolution 29-14 – A Resolution of Intent to Appropriate a 0.045 Acre, More or Less, Permanent Easement and a 0.052 Acre, More or Less, Temporary Easement from Adam P. Johnson for the Property Located at 5851 Dublin Road for the Construction of a Multi-Use Path as Part of the Dublin Road South Phase 3 Project.

Background

The City of Dublin ("City") is preparing to construct a shared use path on the western side of Dublin Road between Rings Road and Waterford Drive (the "Project"). The City must obtain property interests from various landowners located within the City in order to construct this project. The City presented offers based upon appraisals to each of these landowners.

One of the landowners that the City must obtain property interests from for the construction of the Project is Adam P. Johnson (the "Grantor"). After multiple attempts to engage in negotiations with the Grantor, it appears that the City may be forced to appropriate the needed property from the Grantor.

The City is still hopeful that an amicable resolution can be reached with the Grantor; however, this Resolution begins the eminent domain process in the event that negotiations are unsuccessful.

Property to be Appropriated

The appropriation consists of the following property interests, as depicted in the map attached hereto:

Franklin County Parcel No. 273-000304	
Parcel 20	
Permanent Easement	0.045 ± acres
Temporary Easement	0.052 ± acres

Recommendation

Staff recommends approval of Resolution 29-14 as obtaining the property interests is necessary for the furtherance of this project.

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

29-14

Resolution No. _____

Passed _____

, 20____

A RESOLUTION OF INTENT TO APPROPRIATE A 0.045 ACRE, MORE OR LESS, PERMANENT EASEMENT AND A 0.052 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM ADAM P. JOHNSON FOR THE PROPERTY LOCATED AT 5851 DUBLIN ROAD FOR THE CONSTRUCTION OF A MULTI-USE PATH AS PART OF THE DUBLIN ROAD SOUTH PHASE 3 PROJECT.

WHEREAS, the City of Dublin (the "City") is preparing to construct a multi-use path along Dublin Road (the "Project"); and

WHEREAS, said Project requires that the City obtain a permanent easement and a temporary easement from Adam P. Johnson, as described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B," all attached hereto, said property interest located in the Township of Washington, County of Franklin, State of Ohio.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Dublin, State of Ohio, _____ of the elected members concurring that:

Section 1. Council considers it necessary and declares its intention to appropriate, for the purpose of installing a multi-use path, a permanent easement and a temporary easement as described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B," all attached hereto.

Section 2. The City Manager is hereby authorized to cause written notice of the passage of this Resolution to be served upon the owner and persons in possession or having an interest of record in the property described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B," and this notice shall be served according to law.

Section 3. This Resolution shall take effect upon passage in accordance with Section 4.04(a) of the Revised Charter.

Passed this _____ day of _____, 2014.

Mayor – Presiding Officer

ATTEST:

Clerk of Council

EXHIBIT A

	1 of 2
CIP	08-009
PARCEL	20-P
PROJECT	DUBLIN MUP
Version Date	11/01/13

**PARCEL 20-P
DUBLIN ROAD SOUTH MULTI-USE PATH
PERPETUAL EASEMENT
FOR UTILITIES, GRADING, and a MULTI-USE PATH**

Situate in the State of Ohio, County of Franklin, Washington Township, located in Virginia Military Survey 2419, being a part of that 0.957 acre tract as conveyed to Adam P. Johnson, by deed of record in Instrument Number 201204030045766, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at an iron pin found marking the southeast corner of Lot 7 of LEPPERT SUBDIVISION as recorded in Plat Book 27, Page 13 in the existing westerly right-of-way line of Dublin Road, and in the northerly line of said Johnson 0.957 acre tract being 40.00 feet left of centerline station 142+87.16;

Thence South 83 deg. 44 min. 25 sec. East, a distance of 10.00 feet along the existing westerly right-of-way line of Dublin Road, and along the northerly line of said Johnson 0.957 acre tract, to an angle point in the existing westerly right-of-way line of Dublin Road, being 30.00 feet left of centerline station 142+87.02;

Thence South 05 deg. 26 min. 35 sec. West, a distance of 143.53 feet, along the existing westerly right-of-way line of Dublin Road, to the intersection with the existing northerly right-of-way line of Rings Road, being 30.00 feet left of centerline station 141+43.49;

Thence South 84 deg. 34 min. 21 sec. West, a distance of 20.37 feet along the existing northerly right-of-way line of Rings Road to a point being 50.00 feet left of centerline station 141+41.57;

Thence the following three (3) courses and distances across said Johnson 0.957 acre tract;

1. Thence North 05 deg. 26 min. 35 sec. East, a distance of 50.35 feet to a point being 50.00 feet left of centerline station 141+90.00;
2. Thence South 84 deg. 33 min. 05 sec. East, a distance of 10.00 feet to a point being 40.00 feet left of centerline station 141+90.00;
3. Thence North 05 deg. 26 min. 35 sec. East, a distance of 97.16 feet to the **Point of Beginning**, containing 0.045 acres, more or less.

Of the above described area, 0.045 acres are contained within Franklin County Auditor's Parcel 270-000304.

EXHIBIT A

	2 of 2
CIP	08-009
PARCEL	20-P
PROJECT	DUBLIN MUP
Version Date	11/01/13

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (86), using the bearing of South 20 deg. 27 min. 34 sec. West, as derived from a GPS survey in 2008 occupying Franklin County Geodetic Control Monuments "FRANK 73" and "FCGS 6642 RESET".

This description was prepared by Steven E. Rader, registered surveyor 7191, and is based upon a field survey for the City of Dublin, Ohio, in 2008 by Stantec Consulting Services, Inc., under the direction of said surveyor.

Grantor claims title by the instrument of record in Instrument Number 201204030045766, of the Recorder's Office, Franklin County, Ohio.

A drawing of this description is attached hereto and made part thereof.



STANTEC CONSULTING SERVICES, INC.

Steven E. Rader 11/03/13
Registered Surveyor No. 7191 Date

EXHIBIT B



BASIS OF BEARINGS

THE PROJECT BEARING DATUM IS BASED UPON STATE PLANE GRID BEARINGS FROM THE OHIO COORDINATE SYSTEM, SOUTH ZONE, NAD 83 (86), USING THE BEARING OF S 20°27'34" W AS DERIVED FROM A GPS SURVEY OCCUPYING FRANKLIN COUNTY ENGINEER'S STATIONS "FRANK 73", AND "FCGS 6642 RESET".



WASHINGTON TWP., FRANKLIN COUNTY, OHIO



Stantec Consulting Services, Inc.
1500 Lake Shore Drive, Suite 100
Columbus, Ohio 43204
Phone: (614) 486-4383

Started

ntec
Steven E. Radtke
Registered Surveyor #7191

11/3/13
Date

EXHIBIT A

CIP	1 of 2
PARCEL	08-009
PROJECT	20-T
Version Date	DUBLIN MUP 07/26/12

**PARCEL 20-T
DUBLIN ROAD SOUTH MULTI-USE PATH
TEMPORARY EASEMENT
TO PERFORM MINOR GRADING and RECONSTRUCT A DRIVE**

Situate in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey 2419, being a part of that 0.957 acre tract as conveyed to Adam P. Johnson, by deed of record in Instrument Number 201204030045766, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at an iron pin found marking the southeast corner of Lot 7 of LEPPERT SUBDIVISION as recorded in Plat Book 27, Page 13, at an angle point in the existing westerly right-of-way line of Dublin Road, and in the northerly line of said Johnson 0.957 acre tract being 40.00 feet left of centerline station 142+87.16;

Thence the following three (3) courses and distances across said Johnson 0.957 acre tract, and along the westerly lines of the proposed permanent easement;

1. Thence South 05 deg. 26 min. 35 sec. West, a distance of 97.16 feet to a point being 40.00 feet left of centerline station 141+90.00;
2. Thence North 84 deg. 33 min. 25 sec. West, a distance of 10.00 feet to a point being 50.00 feet left of centerline station 141+90.00;
3. Thence South 05 deg. 26 min. 35 sec. West, a distance of 50.35 feet, to the intersection with the existing northerly right-of-way line of Rings Road, being 50.00 feet left of centerline station 141+39.65;

Thence South 84 deg. 34 min. 21 sec. West, a distance of 5.09 feet along the existing northerly right-of-way line of Rings Road to a point being 55.00 feet left of centerline station 141+38.69;

Thence North 05 deg. 26 min. 35 sec. East, a distance of 116.31 feet across said Johnson 0.957 acre tract, to a point being 55.00 feet left of centerline station 142+55.00;

Thence North 57 deg. 59 min. 31 sec. West, a distance of 22.36 feet across said Johnson 0.957 acre tract, to a point being 75.00 feet left of centerline station 142+65.00;

Thence North 05 deg. 26 min. 35 sec. East, a distance of 22.66 feet across said Johnson 0.957 acre tract, to a point in the northerly line of said Johnson 0.957 acre tract, being 75.00 feet left of centerline station 142+87.66;

Thence South 83 deg. 44 min. 25 sec. East, a distance of 35.00 feet along the northerly line of said Johnson 0.957 acre tract to the **Point of Beginning**, containing 0.052 acres, more or less.

Of the above described area, 0.052 acres are contained within Franklin County Auditor's Parcel 270-000304.

EXHIBIT A

	CIP	2 of 2
	PARCEL	08-009
	PROJECT	20-T
	Version Date	DUBLIN MUP
		07/26/12

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (86), as established from a GPS survey in 2008, occupying Franklin County Geodetic Control Monuments "FRANK 73" and "FCGS 6642 RESET".

This description was prepared by Steven E. Rader, registered surveyor 7191, and is based upon a field survey for the City of Dublin, Ohio, in 2008 by Stantec Consulting Services, Inc., under the direction of said surveyor.

Grantor claims title by the instrument of record in Instrument Number 201204030045766, of the Recorder's Office, Franklin County, Ohio.

A drawing of this description is attached hereto and made part thereof.

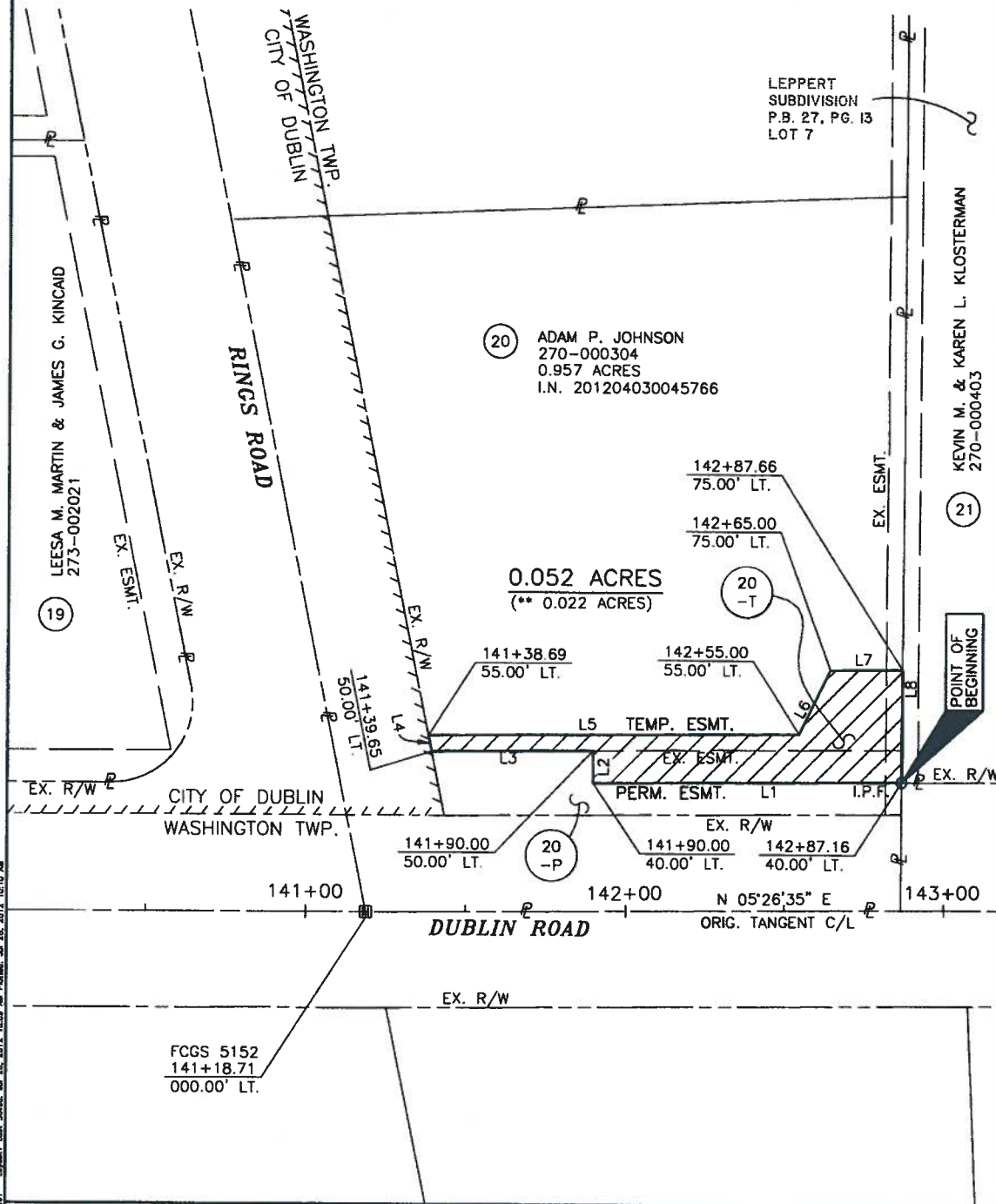


STANTEC CONSULTING SERVICES, INC.

Steven E. Rader 7/26/2012
Registered Surveyor No. 7191 Date

** PORTION OF THE PROPOSED EASEMENT
LYING WITHIN AN EXISTING EASEMENT

EXHIBIT B



NUMBER	DIRECTION	DISTANCE
L1	S 05°26'35" W	97.16'
L2	N 84°33'25" W	10.00'
L3	S 05°26'35" W	50.35'
L4	S 84°34'21" W	5.09'
L5	N 05°26'35" E	116.31'
L6	N 57°59'31" W	22.36'
L7	N 05°26'35" E	22.66'
L8	S 83°44'25" E	35.00'

BASIS OF BEARINGS

THE PROJECT BEARING DATUM IS BASED UPON STATE PLANE GRID BEARINGS FROM THE OHIO COORDINATE SYSTEM, SOUTH ZONE, NAD 83 (86), AS MEASURED USING G.P.S. METHODS THROUGH THE FRANKLIN COUNTY ENGINEER'S STATIONS "FRANK 73", AND "FCGS 6642 RESET".

MONUMENT LEGEND

- R.R.S. FOUND
- REBAR FOUND
- IRON PIN FOUND
- MONUMENT BOX
- 3/4" IRON PIN SET



PARCEL 20-T
DUBLIN ROAD SOUTH
MULTI-USE PATH
WASHINGTON TWP., FRANKLIN COUNTY, OHIO



Stantec Consulting Services, Inc.
1500 Lake Shore Drive, Suite 100
Columbus, Ohio 43204
Phone: (614) 486-4383

Stantec

Registered Surveyor #7191

7/26/2012
Date

DRAWN: STEVE (A172800123) DATE: 7/26/2012 CHECKED: JEFF (A172800123) DATE: 7/26/2012